

REMARKS

This Amendment is in response to the Office Action dated August 26, 2008 (the Action). The Action objects to the Specification and to Claims 1, 5 and 6 for various informalities. Claims 1-5 stand rejected under 35 U.S.C. 112, second paragraph as being allegedly indefinite. Claim 6 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,397,115 to Vlahovic ("Vlahovic"). Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over WO 03/072421 to Grunklee ("Grunklee"). Claims 6-9 stand further rejected under 35 U.S.C. 103(a) as being unpatentable over Grunklee in view of Vlahovic.

Applicant requests reconsideration of the application for at least the following reasons.

I. Objections to the Specification

The Action objects to the specification because of references to claim numbers on page 2, last paragraph. Applicant has amended the application as requested in the Action. Accordingly, Applicant requests that the objections to the specification be withdrawn.

II. Objections to the Claims

The Action states that Claims 1, 5 and 6 should separate each of the plurality of elements or steps by a line indentation. Appropriate correction has been taken in the amended claims above, and Applicant requests that the objections to the claims be withdrawn.

III. Section 112 Rejections

With respect to the rejection of Claims 1-4 under 35 U.S.C. 112, second paragraph, the Action takes the position that the term "remaining second channel" in Claim 1 lacks clear antecedent basis. Applicant has amended Claim 1 to refer to the "second channel," which has clear antecedent basis.

With respect to the rejection of Claim 5 under 35 U.S.C. 112, second paragraph, the Action states that the typing of Claim 5 is unclear. Claim 5 has been reproduced above. Support for the recitations of Claim 5 can be found, for example, in the specification and in original Claim 1.

Accordingly, Applicant submits that Claims 1-5 satisfy the requirements of 35 U.S.C. 112, second paragraph, and requests that such rejections be withdrawn.

Applicant notes with appreciation that no prior art has been cited with respect to Claims 1-5. Applicant submits that Claims 1-5 are in condition for allowance, which action is respectfully requested.

IV. Section 102/103 Rejections

As noted above, independent Claim 6 stands rejected under 35 U.S.C. 102(b) as being anticipated by Vlahovic, and independent Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Grunklee. Claims 6-9 stand further rejected under 35 U.S.C. 103(a) as being unpatentable over Grunklee in view of Vlahovic.

In response, Applicant has amended independent Claims 6 and 10 to recite that portions of the first channel are split from the second channel in localized areas in which wall material from the intervening channel is removed, portions of the first channel are removed, and the second channel is bent along the localized areas. Support for the amendments to independent Claims 6 and 10 can be found, for example, in original Claim 1 and in Figure 5.

Applicant submits that the above-underlined recitations of amended Claims 6 and 10 are not disclosed or rendered obvious by Grunklee and/or Vlahovic, and therefore, Claims 6 and 10 are patentable over the cited prior art. Claims 7-9 depend from Claim 6 and are patentable based on the patentability of Claim 6.

Accordingly, Applicant requests that the rejection of Claims 6-10 be withdrawn.


CONCLUSION

Accordingly, Applicant submits that the present application is in condition for allowance and the same is earnestly solicited. Should the Examiner have any matters

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outstanding of resolution, he is encouraged to telephone the undersigned at 919-854-1400 for expeditious handling.

Respectfully submitted,


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CERTIFICATION OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on February 24, 2009

Signature: _____


Joyce Paoli